United States Senate

WASHINGTON, D.C. 20510

May 20, 1971

Dear Harold,

Since you wrote there have been some developments here in regard to Ray's mail. First off, because the mail is now being directed to Bud, we are getting all mail, including your letters to Ray. If you want to avoid having it sent to Tennessee, then returned here only to go back again, I suggest you send it to Bud to be forwarded. I believe Bud and Ray have currently agreed on a proceedure to forward mail to him on a once a month basis. Bud has received a couple of handwritten (in pencil) letters from Ray which which mention that he doesn't want too much mail. He specifically mentions you. I think you must have come on too strong. He is very sensitive about this, as you know.

Bud says he also received some handwritten letters addressed to Ray and mailed in Bessemer (outside of Birmingham) which could be interpreted as threats to Ray. I haven't yet read them myself.

Before I forget, last night on Cavett's show he asked guest Pierre Salinger a few questions about his position on the Warren Report. Pierre followed the standard Kennedy line. But I thought it very interesting that Cavett asked at all. Incidentally, Salinger's only thought of conspiracy was on the plane about an "international conspiracy".

I have send copies of Judge Miller's opinion to Valentine, Leonard, and Outerbridge. I will send copies of Mardian's address to Sylvia, Paul Hoch, and Schoener, among others. This afternoon I am also sending copies of the Boggs thing to Sylvia and Paul this afternoon.

I'm sorry the second batch of declassified CDs is so mixed up. It took a tremendous amount of time to get the batches I sent to Paul and Arch and the first batch I gave to you in order. The Archives was not much help. I had to separate all the CDs and put paper clips on them, and it sometimes was quite a bit of effort to tell where one CD left off and the other began. I was ordering the second batch as I studied them, but as I only got up to about CD 100, only those are really in order (or should have been), and I think they will be found at the bottom of the pile.

I am enclosing Paul's list of mishaps in the batch of CDs I sent him. I'll probably reply to it tomorrow. Paul says he got two copies of CD 667 & CD 1149. I believe your second batch

I have taken last Monday's copies home with me. Next time you come in let me know and I'll bring them in for you.

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or perhaps the first, will be missing these two CDs, so I'll have extra copies made for you.

I do have a Memphis phone book but I cannot recall the name of Ted Glenn's father, so I have to reach him through Professor Marcus Orr, History Department, Memphis State University, Memphis, Tenn. 38111. I'm really not sure the mail is getting through at all, as I've written both of them twice without answer and sent each a copy of Frame-Up. But having been a student for a very long time, I know the way pressures mount on students and professors as the semester goes along, so that could very well explain why these Memphis folk don't write.

Thanks for the notes on the Spectro Reply Brief. I agree that organization of the brief could be improved somewhat. I am glad, however, that I changed the original format to put the no law enforcement purpose ever section at the end. After much reflection, I think that is probably the weakest argument we have. Fortunately, however, the Government brief is unusually incompetent. There best argument would be that the FBI was exercising its adjunct function as an aid of the local police. That would at least gum up the works with a lot of sticky factual questions. Instead, the Government keeps shifting its position--"human or natural law", "common sense", adjunct to local police. But the Williams' affidavit contradicts the adjunct claim and the "human or natural law" has been abandoned on appeal, perhaps because of the ridicule heaped on it in the first brief.

If the Government harps on law enforcement purpose at the time of the assassination, I think it may be best to pass over that and concentrate on what I view as our three strongest arguments which, in order, are: 1) no present or future law enforcement action, 2) scientific tests, 3) Americal Mail Line, Ltd. There are cases on each of these points that give you something solid to go on. What's more, they are cases decided by this court which will therefore not only be familiar with them but find it embarrassing to overrule or distinguish.

I omitted Wellford because the relevant passage from it is a quote from the Bristol Myers case decided by this court. I probably should have cited Wellford as having quoted and relied upon Bristol, but in any event, when the clerk sees the Bristol quote he will, if he has any doubt about its present good standing, Shepardize it to see if it has been overruled or followed by other jurisdictions, in which case he will come across Wellford. And we can mention it on oral argument as we did in the court below.

More about this later. I'm going to be very, very busy for the nextmmonth on other matters. I have to take the bar exam June 24 and haven't begun to study yet.

P.S. Can't make out warden's comment on Ray letter original either.